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**IN THE UNITED STATES DISTRICT COURT**

## **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

## SAN JOSÉ DIVISION

**CITY OF SAN JOSÉ; CITY OF SAN  
JOSÉ AS SUCCESSOR AGENCY TO  
THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN JOSÉ; and THE SAN  
JOSÉ DIRIDON DEVELOPMENT  
AUTHORITY**

**Plaintiffs,**

V.

**OFFICE OF THE COMMISSIONER OF  
BASEBALL**, an unincorporated association  
doing business as Major League Baseball; and  
**ALLAN HUBER "BUD" SELIG**

## Defendants

Case No. 13-CV-02787-RMW

## **NOTICE OF APPEAL OF PLAINTIFFS**

Judge: Hon. Ronald M. Whyte

Complaint Filed: June 18, 2013

1 NOTICE IS HEREBY GIVEN that, pursuant to Federal Rules of Appellate Procedure 3  
2 and 4, to the extent it is appealable, Plaintiffs City of San José, City of San José as Successor  
3 Agency to the Redevelopment Agency of the City of San José, and the San José Diridon  
4 Development Authority (collectively “Plaintiffs”) appeal to the United States Court of Appeals  
5 for the Ninth Circuit from (1) this Court’s Judgment [Docket No. 52] (entered on January 3,  
6 2014); and (2) this Court’s Order Granting-In-Part and Denying-In-Part Defendants’ Motion to  
7 Dismiss Plaintiffs’ Complaint Under Federal Rule Of Civil Procedure 12(b)(6) [Docket No. 41]  
8 (entered on October 11, 2013).

9  
10 Dated: January 23, 2014

**COTCHETT, PITRE & McCARTHY, LLP**

11 By: /s/ Philip L. Gregory  
12 PHILIP L. GREGORY

13 *Attorneys for Plaintiffs the City of San José;  
14 the City of San José, as successor agency to  
15 the Redevelopment Agency of the City of San  
José; and the San José Diridon Development  
Authority*